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**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

A 2.77 acre tract of land out of the Santiago Del Valle Survey, Abstract No. 24, Travis County, Texas, being the resulting tract of a called Tract 1, Tract 2, Tract 3, Tract 4 and Tract 5, said Tracts 1-4 being described in a deed to Parker Coniff recorded in Volume 12632, Page 1,000, Official Public Records of Travis County, Texas, and said Tract 5 being described in a deed to T. Parker Coniff in Volume 12135, Page 93, Official Public Records of Travis County, Texas, said tract being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 2407-2409 Montopolis Drive in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** Except as specifically provided in Part 3 of this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

**PART 3.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The following uses are not permitted uses of the Property:

Adult-oriented business  
Service station  
Pawn shop services  
Theater  
Pet services  
Outdoor entertainment  
Telecommunication tower  
Drop-off recycling collection  
facility

Automotive washing (of any type)  
Construction sales and services  
Bail bond services  
Exterminating services  
Equipment repair services  
Vehicle storage  
Maintenance and service facilities

B. The following uses are conditional uses of the Property:

Plant nursery

C. A drive-in service for a Restaurant (general) and a Restaurant (limited) use is conditional.

**PART 4.** The Property is subject to Ordinance No. 010927-05 that established the Montopolis Neighborhood Plan.

**PART 5.** This ordinance takes effect on \_\_\_\_\_, 2015.

**PASSED AND APPROVED**

\_\_\_\_\_, 2015      §  
                                 §  
                                 §      \_\_\_\_\_  
                                      Steve Adler  
                                      Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
Anne L. Morgan      Jannette S. Goodall  
City Attorney      City Clerk

### **METES & BOUNDS DESCRIPTION**

OF A 2.77 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE SURVEY, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, BEING THE RESULTING TRACT OF A CALLED TRACT 1, TRACT 2, TRACT 3, TRACT 4 AND TRACT 5, SAID TRACTS 1-4 BEING DESCRIBED IN A DEED TO PARKER CONIFF RECORDED IN VOLUME 12632, PAGE 1000, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND SAID TRACT 5 BEING DESCRIBED IN A DEED TO T. PARKER CONIFF IN VOLUME 12135, PAGE 93, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** at a set  $\frac{1}{2}$ " iron rod in the easterly R.O.W. line of Montopolis Drive (a 60' R.O.W.) for the most westerly southwest corner of the herein described tract, same being the northwest corner of a called 0.238 acre tract described in a deed to Oralia Alcantar in Vol. 11356, Pg. 555, Official Public Records of Travis County, Texas, said rod being located North  $28^{\circ}05'55''$  East, a distance of 137.79 feet from a found pipe marking the north corner of a called 2.00 acre tract as described in a deed to John Robert Stratton in Doc. No. 2009079407, Official Public Records of Travis County, Texas;

**THENCE** along said R.O.W., North  $28^{\circ}05'55''$  East, a distance of 68.94 feet (called North  $30^{\circ}36'01''$  East, a distance of 68.94 feet) to a found  $\frac{1}{4}$ " iron rod for an angle point;

**THENCE** continuing along said R.O.W., North  $27^{\circ}44'54''$  East, a distance of 69.14 feet (called North  $30^{\circ}15'00''$  East, a distance of 69.14 feet) to a point of reference for the north corner of the herein described tract, same being the west corner of a called 4.30 acre tract, as described in a deed to Peter E. Barlin recorded in Doc. No. 2015009611, Official Public Records of Travis County, Texas (said point being located North  $29^{\circ}34'06''$  West, a distance of 0.83 feet from a found fence corner post);

**THENCE** along the common line of the herein described tract, and said Barlin Tract, South  $64^{\circ}00'39''$  East, a distance of 631.12 feet, to a found pipe, for the east corner of the herein described tract, same being the south corner of said Barlin Tract, and the west corner of a called 1.00 acre tract as described in a deed to Martin Diaz and Estefana Diaz in Doc. No. 2002065138, Official Public records of Travis County, Texas, same being the north corner of a called 1.496 acre tract as described in a deed to Dalor LTD (Tract III) in Doc. No. 2009213206, Official Public Records of Travis County, Texas;

**THENCE** along the common line of the herein described tract, and said Dalor Tract, South  $27^{\circ}51'34''$  West, a distance of 207.26 feet, to a found pipe, for the south corner of the herein described tract, same being a point in the west line of a called 6.492 acre tract, as also described in said deed to Dalor (Tracts I & II), same being the east corner of Lot 1, Rivera Addition, as recorded in Vol. 77, Pg. 385, Plat Records of Travis County, Texas;

**THENCE** along the common line of the herein described tract, and said Lot 1, North 64°02'56" West, a distance of 481.02 feet to a found ½" iron rod, for the most southerly southwest corner of the herein described tract, same being the south corner of said Alcantar Tract;

**THENCE** along the common line of the herein described tract and said Alcantar Tract, North 27°54'06" East, a distance of 69.02 feet to a found ½" iron rod, for an interior ell corner of the herein described tract, same being the northeast corner of said Alcantar Tract;

**THENCE** continuing along the common line of the herein described tract, and said Alcantar Tract, North 63°50'24" West, a distance of 150.30 feet to the **POINT OF BEGINNING** and containing 2.77 acres, more or less.

Basis of Bearing: Texas Central NAD 83

STATE OF TEXAS       §

June 12, 2015

COUNTY OF BASTROP   §

It is hereby certified that the above description was prepared from an actual survey on the ground of the described tract made under my supervision.

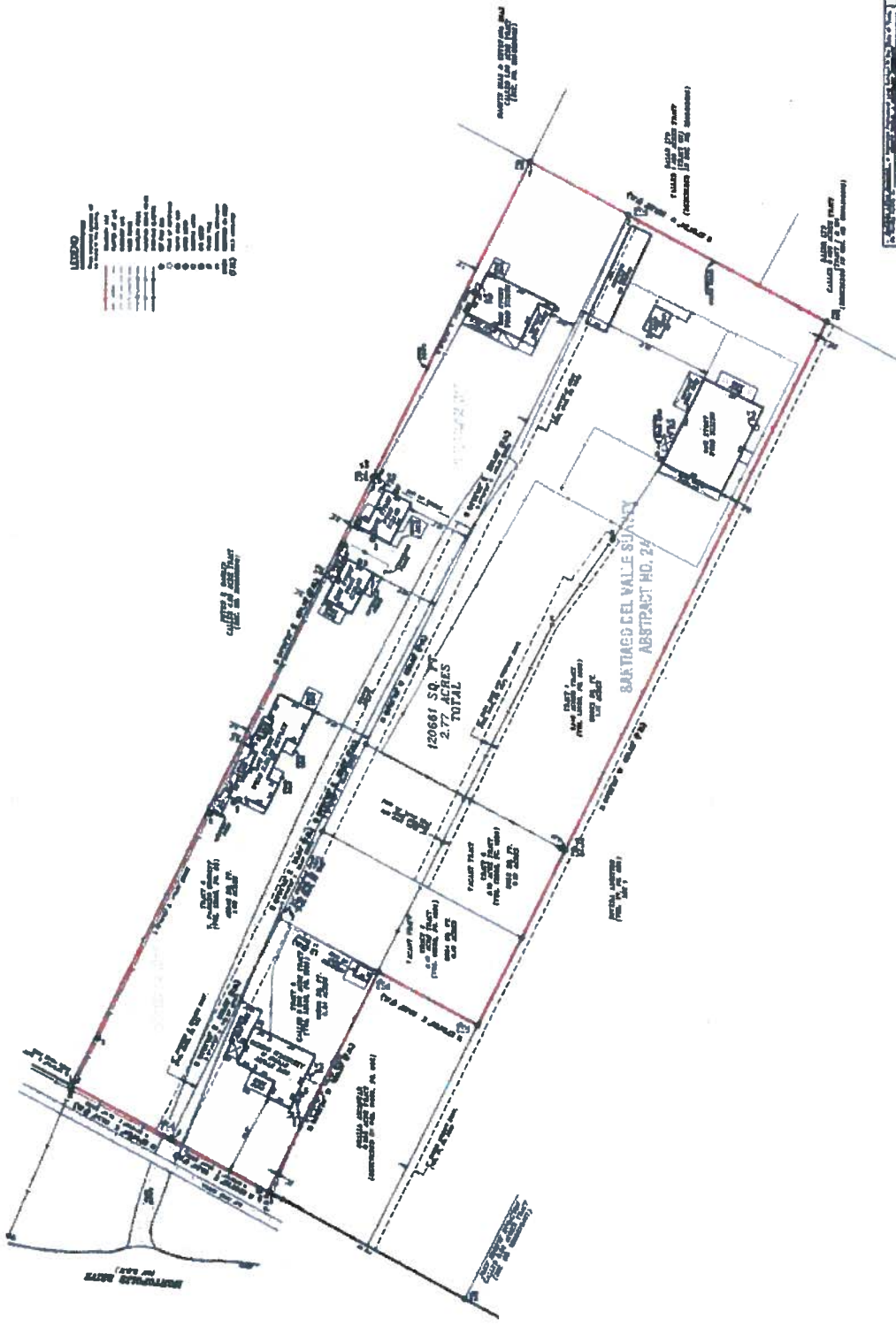


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Rachel Lynn Hansen,  
Registered Professional Land Surveyor  
Registration No. 6358

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**LEGENDA**  
 Línea roja: Límite del terreno.  
 Línea negra: Límite de la parcela.  
 Línea punteada: Límite de la parcela.  
 Línea trazo y punto: Límite de la parcela.  
 Línea azul: Límite de la parcela.  
 Línea verde: Límite de la parcela.  
 Línea amarilla: Límite de la parcela.  
 Línea morada: Límite de la parcela.  
 Línea naranja: Límite de la parcela.  
 Línea gris: Límite de la parcela.  
 Línea blanca: Límite de la parcela.  
 Línea negra: Límite de la parcela.  
 Línea punteada: Límite de la parcela.  
 Línea trazo y punto: Límite de la parcela.  
 Línea azul: Límite de la parcela.  
 Línea verde: Límite de la parcela.  
 Línea amarilla: Límite de la parcela.  
 Línea morada: Límite de la parcela.  
 Línea naranja: Límite de la parcela.  
 Línea gris: Límite de la parcela.  
 Línea blanca: Límite de la parcela.

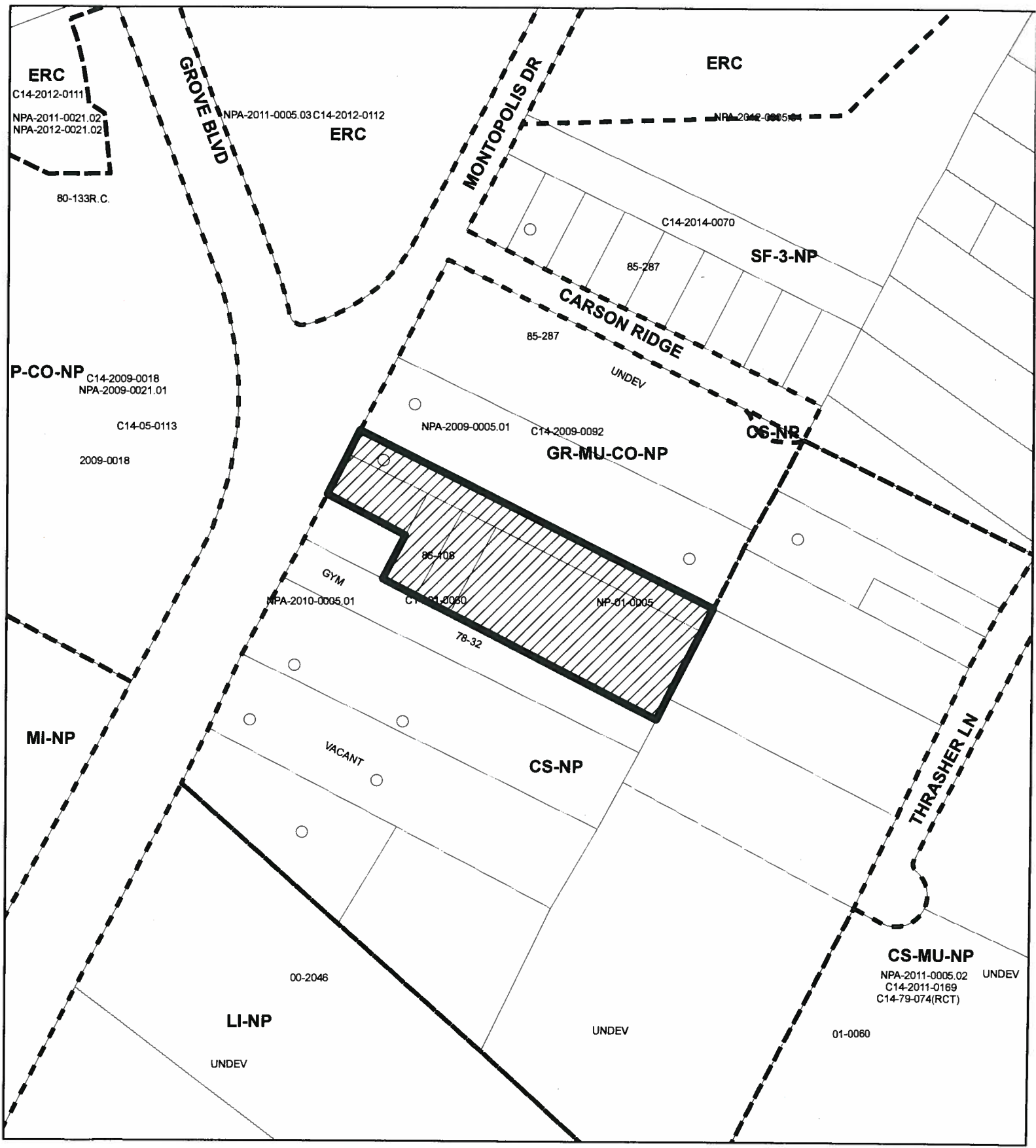


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**ZONING**  
**CASE#: C14-2015-0099    Exhibit B**

- N**
-  **SUBJECT TRACT**
  -  **PENDING CASE**
  -  **ZONING BOUNDARY**

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

